

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE: MANUEL E. MALARET MARTINEZ DEBTOR	CASE NO: <u>14-08732 (ESL)</u> CHAPTER: <u>13</u> (JRC)
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DEBTOR'S POST CONFIRMATION

AMENDED PAYMENT PLAN DATED JANUARY 31, 2017

AND

CERTIFICATE OF SERVICE

TO HONORABLE COURT:

COMES NOW DEBTOR, through the undersigned attorney and respectfully states, alleges and requests relief as follow:

1. The Debtor filed a Chapter 13 plan that was confirmed by the Honorable Court on December 9th, 2015 (*Dockets 53 & 54*).

2. That, pursuant to 11 U.S.C. Section 1329, attached hereto is an amended Post-Confirmation payment plan dated November 7th, 2016. The plan has been amended for the following reasons:

a) To amend the payment plan to:

1. *TO ADJUST THE PROPOSED AMOUNT FROM THE SALE OF THE*

REAL PROPERTY LOCATED AT 1567 AVE. AMERICO MIRANDA TO \$70,000.00.

2. TO INCLUDE THE AMOUNT OF \$626.01 AS PER THE TRUSTEE'S PCM FILED ON NOVEMBER 2ND, 2016 AT DOCKET NUMBER 66.

3. TO ADJUST THE ARREARS TO BE PAID [\$13,039.14] TO SECURED CREDITOR WELLS FARGO.

4. TO CHANGE THE PLAN'S BASE.

3. That a copy of the amended Post-Confirmation Chapter 13 payment plan dated January 7th, 2017, initialized and signed by the Debtor is hereby attached.

4. That a Copy of the sales comparables for the Debtor's property in Americo Miranda (Caparra Terrace), as per www.puertoricoe.com, is hereby attached.

NOTICE

"WITHIN TWENTY-ONE (21) DAYS AFTER SERVICE AS EVIDENCED BY THE CERTIFICATION, AND AN ADDITIONAL THREE (3) DAYS PURSUANT TO FED. R. BANK. P. 9006(F) IF YOU WERE SERVED BY MAIL, ANY PARTY AGAINST WHOM THIS PAPER HAS BEEN SERVED, OR ANY OTHER PARTY TO THE ACTION WHO OBJECTS TO THE RELIEF SOUGHT HEREIN, SHALL SERVE AND FILE AN OBJECTION OR OTHER APPROPRIATE RESPONSE TO THIS PAPER WITH THE CLERK'S OFFICE OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO. IF NO OBJECTION OR OTHER RESPONSE IS FILED WITHIN THE TIME ALLOWED HEREIN, THE OBJECTION WILL BE DEEMED UNOPPOSED AND MAY BE GRANTED UNLESS: (1) THE REQUESTED RELIEF IS FORBIDDEN BY LAW; (2) THE REQUESTED RELIEF IS AGAINST PUBLIC POLICY; OR (3) IN THE OPINION OF THE COURT, THE INTEREST OF JUSTICE REQUIRES OTHERWISE. IF YOU FILE A TIMELY RESPONSE, THE COURT MAY SCHEDULE A HEARING."

PRAYER FOR RELIEF

WHEREFORE, the Debtor requests that this Honorable Court:

1. To take judicial notice of the aforementioned facts and amendments and the acceptance of the same.
2. To grant any other relief it deems necessary and just.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification, upon information and belief, of such filing to the Chapter 13 Trustee and to all other participants appearing in said record.

I HEREBY FURTHER CERTIFY that we have served by regular mail this document to any creditor as per master address list upon knowing that they are non CM/ECF participants.

RESPECTFULLY SUBMITTED

In San Juan Puerto Rico, this 31st day of January of 2017.

/S/ JAIME L. VELASCO BONILLA II, ESQ.
JAIME L. VELASCO BONILLA II, ESQ.

USDC-PR: 222,312

P.O. BOX 9023336

SAN JUAN, P.R. 00902-3336

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United States Bankruptcy Court
District of Puerto Rico



IN RE:

Case No. 2014-08732(ESL)MALARET MARTINEZ, MANUEL E.Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <u>1/31/2017</u> <input type="checkbox"/> AMENDED PLAN DATED: _____ <input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE <div style="margin-top: 10px;"> $\\$ \quad 300.00 \times 12 = \\$ \quad 3,600.00$ $\\$ \quad 600.00 \times 48 = \\$ \quad 28,800.00$ $\\$ \quad \quad \times \quad = \\$ \quad$ $\\$ \quad \quad \times \quad = \\$ \quad$ $\\$ \quad \quad \times \quad = \\$ \quad$ <div style="text-align: right;">TOTAL: \$ <u>32,400.00</u></div> </div> <div style="margin-top: 10px;"> Additional Payments: \$ <u>70,626.01</u> to be paid as a LUMP SUM within <u>36 months</u> with proceeds to come from: <input checked="" type="checkbox"/> Sale of Property identified as follows: Property located at 1567 Americo Miranda Ave., San Juan <input checked="" type="checkbox"/> Other: Adjustment from the Trustee, as per docket number 66 on November 2, 2016 Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ </div> <div style="margin-top: 10px; border: 1px solid black; padding: 5px;"> PROPOSED BASE: \$ <u>103,026.01</u> </div>	II. DISBURSEMENT SCHEDULE <div style="margin-top: 10px;"> A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. FIRSTBANK PUERTO Cr. WELLS FARGO BAN Cr. _____ # <u>XXXXXX-1005 (C-3)</u> # <u>XXXXXX-8994 (C-6)</u> # _____ \$ <u>433.65</u> \$ <u>13,039.14</u> \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. CRIM Cr. Dept of the Treasury Cr. MORNING STAR # <u>XXXXXX-6624 (C-9)</u> # <u>XXXXXX-8994 (C-8)</u> # <u>XXXXXX (C-2)</u> \$ <u>1,211.62</u> \$ <u>2,361.25</u> \$ <u>330.60</u> 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: DORAL BANK FIRSTBANK PUERTO WELLS FARGO BAN C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. </div> <div style="margin-top: 10px; border: 1px solid black; padding: 5px;"> OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) See continuation sheet attached </div>
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Signed: <u>/s/ MANUEL E. MALARET MARTINEZ</u> Debtor Joint Debtor </div> <div style="width: 50%; text-align: right;"> Attorney for Debtor <u><i>Jaime Delgado</i></u> Phone: (787) 562-0837 CHAPTER 13 PAYMENT PLAN </div> </div>	

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IN RE: ~~MANUEL E.~~ MALARET MARTINEZ, MANUEL E.

CASE NO. 2014-08732(ESL)

CHAPTER 13 PAYMENT PLAN
CONTINUATION SHEET – PAGE 1 OF 1

1. DEBTOR OTHERWISE MAINTAINS REGULAR PAYMENTS DIRECTLY TO:

DORAL BANK

PPF HOLDINGS III

FIRST BANK PUERTO RICO

WEATHERLY AT CENTRAL PARK COND.

WELLS FARGO

2. EXECUTORY CONTRACTS – ASSUMED:


ADAM PERRY

JUAN A. HERNANDEZ

3. OTHER PROVISIONS


1) ATTORNEY'S FEES TO BE PAID FIRST.

2) PLAN TO PAY 100% PLUS 4.25% TO UNSECURED CREDITORS.


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Propiedades Vendidas Recientemente en 4515 Puerto Rico

1 2 3 4 5 6 7 8 9 10 ...

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Team Work Venta	Municipio	Área de Propiedad Vendita	Precio	Año		Team Work Tasador
	San Juan	Caparra Terrace Notifícame Gratis	Disponible con membresia	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	\$350,000.00	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	Disponible con membresia	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	Disponible con membresia	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	\$110,000.00	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	\$57,500.00	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	\$57,500.00	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	\$32,000.00	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	\$250,000.00	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	\$80,000.00	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	\$47,500.00	2016	 Ver en Google Map	
	San Juan	Caparra Terrace Notifícame Gratis	\$113,610.62	2016	 Ver en Google Map	

http://clasificadosonline.com/puertoricoe.asp

1/31/2017

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